

REMARKS

Claims 3, 4, 6-8, 11, 12, 15-18, 23-26, 28-30, 33, 34, 37-40, 45-47, 50-52, 55, 56, 59-65, 86, and 87 were pending in the Office Action dated July 6, 2005.

Claims 3, 4, 6-8, 11, 12, 15-18, 23-26, 28-30, 33, 34, 37-40, 45-47, 50-52, 55, 56, 59-65, 86, and 87 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,385,596 of Wiser, et al. ("Wiser") in view of U.S. Patent 6,112,304 of Clawson ("Clawson"), and further in view of U.S. Patent 5,715,403 of Stefik ("Stefik").

Claims 3, 4, 7, 8, 15, 17, 18, 23, 24, 25, 26, 29, 30, 37, 39, 40, 45, 46, 47, 51, 52, 59, 61, 62, 63, 65, 86, and 87 have been amended within the subject matter of the application as filed. Claims 6, 28, and 50 have been canceled. No new matter has been added.

CLAIM REJECTIONS

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 3, 4, 25, 26 and 47 under 35 U.S.C. §103(a) as being unpatentable over Wiser in view of Clawson and Stefik. Applicants respectfully submit that the pending claims are not obvious in view of the combination of Wiser in view of Clawson and Stefik. It is respectfully submitted that it would be impermissible hindsight, based on applicant's own disclosure, to combine Wiser in view of Clawson and Stefik.

Even if Wiser, Clawson and Stefik were combined, such a combination would lack one or more features of the rejected claims. Claim 3 recites the feature of *preventing the requesting node from identifying the authorizing node*. (claim 3) (emphasis added). The Examiner has stated in part that:

The combination of Wiser/Clawson does not specifically disclose the limitation of ...*delivering being performed...without identifying the delivering system*. Stefik however, in at least column 4, lines 40-40 [sic] discloses transfer of digital works between online repositories in a networked computing environment.

(Office Action, 7/6/2005, p. 3)

Applicants respectfully disagree with the Examiner because neither Wiser, Clawson nor Stefik disclose *preventing the requesting node from identifying the authorizing node* as claimed in applicants' claim 3 and explained by the following analysis.

The Examiner has conceded that neither Wiser nor Clawson disclose the feature of *delivering being performed without identifying the delivering system*. Accordingly, neither Wiser nor Clawson describe *preventing the requesting node from identifying the authorizing node* as claimed in claim 3. Stefik also does not disclose this feature. Stefik discloses a system for maintaining digital rights of a reproducible work when transferred between repositories. Stefik, col. 4, ll. 40-50. Stefik's system includes an Authorization Repository 202 that provides certificates that are required to gain access to the digital work. Stefik, col. 8, ll. 1-10. "An authorization object referenced by an **Authorization-ID can contain digital address information to be used to set up a communications link between a repository and the authorization source**. These are analogous to phone numbers." Stefik, col. 23, ll. 5-13. Stefik also describes an authorization process that allows the authorization server to create a communication channel with the repository needing the authorization. Stefik, col. 41, l. 45- col. 42, l. 29. However, nowhere does Stefik describe *preventing the requesting node from identifying the authorizing node*.

For these reasons, the combination of Wiser, Clawson, and Stefik lacks the feature of *preventing the requesting node from identifying the authorizing node* as stated in claim 3.

Because the combination of Wiser, Clawson, and Stefik does not disclose this feature as taught by applicants and given that claims 4, 7-8, 11, 12, 15-18, 23, and 24 are dependent from claim 3 and add additional limitations, it is respectfully submitted that claims 3, 4, 7-8, 11, 12, 15-18, 23, and 24 are not unpatentable under 35 U.S.C. §103(a) over Wiser in view of Clawson, and Stefik.

The Examiner also rejected claims 25 and 26 under 35 U.S.C. §103(a) for the reason set forth in the rejection of claims 3 and 4. Claim 25 discloses substantially similar limitations as claim 3, and recites *means for preventing the requesting node from identifying the authorizing node*. (Emphasis added) Because, neither Wiser, Clawson, nor Stefik disclose this feature as taught by applicant for the reasons discussed above with regard to claim 3, applicants respectfully submits that claim 25 is not obvious under 35 U.S.C. §103(a) by Wiser in view of Clawson, and Stefik. Furthermore, because neither Clawson, and Stefik disclose this feature as taught by applicants in independent claim 25 from which claims 26, 29-30, 33, 34, 37-40, 45 and 46 depend, applicants respectfully submit that claims 25, 26, 29-30, 33, 34, 37-40, 45 and 46 are not obvious under 35 U.S.C. §103(a) by Wiser in view of Clawson, and Stefik.

The Examiner also rejected claim 47 under 35 U.S.C. §103(a) for the reason set forth in the rejection of claims 3 and 4. Claim 25 discloses substantially similar limitations as claim 3, and recites *means for preventing the requesting system from identifying the authorizing node*. (Emphasis added) Because, neither Wiser, Clawson, nor Stefik disclose

this feature as taught by applicant for the reasons discussed above with regard to claim 3, applicants respectfully submits that claim 47 is not obvious under 35 U.S.C. §103(a) by Wiser in view of Clawson, and Stefik. Furthermore, because neither Clawson, and Stefik disclose this feature as taught by applicants in independent claim 47 from which claims 51-52, 55, 56, and 59-65 depend, applicants respectfully submit that claims 47, 51-52, 55, 56, 59-65 are not obvious under 35 U.S.C. §103(a) by Wiser in view of Clawson, and Stefik.

The Examiner has rejected claim 86 under 35 U.S.C. §103(a) as being unpatentable over Wiser in view of Clawson and Stefik. Applicants respectfully submit that the pending claim is not obvious in view of the combination of Wiser in view of Clawson and Stefik. It is respectfully submitted that it would be impermissible hindsight, based on applicant's own disclosure, to combine Wiser in view of Clawson and Stefik.

Even if Wiser, Clawson and Stefik were combined, such a combination would lack one or more features of the rejected claims. Claim 86 recites the feature of *receiving a plurality of reports, wherein the plurality of reports include a permit request report, a permit delivery report, a product delivery request report, a product delivery commencement report, and a product delivery completion report.* (claim 86) (emphasis added). The Examiner has stated in part that:

Stefik discloses a reporting function in at least Figures 89 [sic] and 19 as well as associated text. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wiser/Clawson with Stefik because Stefik introduces an existing system for transferring digital files consistent with the scope and intent of Wiser/Clawson.

(Office Action, 7/6/2005, p. 5)

Applicants respectfully disagree with the Examiner because neither Wiser, Clawson nor Stefik disclose *receiving a plurality of reports, wherein the plurality of reports include a permit request report, a permit delivery report, a product delivery request report, a product delivery commencement report, and a product delivery completion report* as claimed in applicants' claim 86 and explained by the following analysis.

The Examiner has conceded that neither Wiser nor Clawson disclose the feature of a *plurality of reports comprising reports transmitted in response to requests for permits and reports transmitted in response to attempted accesses of products*. Accordingly, neither Wiser nor Clawson describe *receiving a plurality of reports, wherein the plurality of reports include a permit request report, a permit delivery report, a product delivery request report, a product delivery commencement report, and a product delivery completion report* as claimed in claim 86. Stefik also does not disclose this feature. Stefik discloses a system for maintaining digital rights of a reproducible work when transferred between repositories. Stefik, col. 4, ll. 40-50. Stefik's system includes a credit server that generates reports relating to billing and provides the reports to a billing clearinghouse. col. 50, ll. 63-67. However, nowhere does Stefik describe the reports claimed by applicants.

For these reasons, the combination of Wiser, Clawson, and Stefik lacks the feature of *receiving a plurality of reports, wherein the plurality of reports include a permit request report, a permit delivery report, a product delivery request report, a product delivery commencement report, and a product delivery completion report* as stated in claim 86. Because the combination of Wiser, Clawson, and Stefik does not disclose this feature as

taught by applicants it is respectfully submitted that claim 86 is not unpatentable under 35 U.S.C. §103(a) over Wiser in view of Clawson, and Stefik.

The Examiner also rejected claim 87 under 35 U.S.C. §103(a) for the reason set forth in the rejection of claim 86. Claim 25 discloses substantially similar limitations as claim 3, and recites *means for receiving a plurality of reports, wherein the plurality of reports include a permit request report, a permit delivery report, a product delivery request report, a product delivery commencement report, and a product delivery completion report.*

(Emphasis added) Because, neither Wiser, Clawson, nor Stefik disclose this feature as taught by applicant for the reasons discussed above with regard to claim 86, applicants respectfully submits that claim 87 is not obvious under 35 U.S.C. §103(a) by Wiser in view of Clawson, and Stefik.

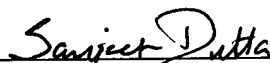
Conclusion

In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (650) 614-7400. If there are any additional charges, please charge Deposit Account No. 15-0665.

Respectfully submitted,
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